

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

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) CASE NO. 1:05 MC 023
)
IN RE:) ORDER GRANTING STIPULATION OF
) THE PARTIES
SGP ACQUISITION, LLC, et al.,)
)
Debtors.)

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UNITED STATES DISTRICT COURT JUDGE LESLEY WELLS

The parties in this action, Slazengers Limited, Dunlop Slazenger International Limited, Dunlop Slazenger Manufacturing LLC and Dunlop Sport Group Americas, Inc. (Collectively “Slazenger”), and Provident Bank (“Provident”), have stipulated to a resolution of their pending discovery disputes pertaining to an underlying bankruptcy action involving SGP Acquisition, LLC (“SGP”). (Docket #4). In furtherance of that underlying action Slazenger issued two subpoenas in this Court against Provident in its efforts to obtain information in support of its motion to terminate SGP’s exclusivity period for filing a plan for reorganization (Subpoena I), and to obtain information regarding potential avoidance actions by SGP (Subpoena II). In response, Provident filed a motion to quash the subpoena and/or for the issuance of a protective order. (Docket #1). Slazenger filed a

response along with a request for Fed. R. Civ. P. 11 sanctions (Docket #2), and Provident filed a reply. (Docket #3).

Through subsequent negotiations, and in resolution of their pending discovery disputes, Slazenger and Provident have stipulated to the following discovery schedule:

1. Provident shall produce documents responsive to Subpoena I and Subpoena II on April 20, 2005 at the law offices of Ray, Robinson, Carle & Davies, 1717 East Ninth Street, Suite 1650, Cleveland, Ohio 44114.
2. Provident shall make Sharon Johnston available for deposition on either (i) May 11, 2005 or (ii) May 12, 2005. The deposition shall take place at the law offices of Ray, Robinson, Carle & Davies, 1717 East Ninth, Suite 1650, Cleveland, Ohio 44114, and shall be performed, conducted, and fully completed by 4:00 p.m. on the selected deposition date. If necessary, the deposition may be continued at a mutually satisfactory date and time.
3. In furtherance of Provident's voluntary production of documents, Slazenger shall withdraw, without prejudice, the Slazenger Response.
4. In addition, Provident shall withdraw, with prejudice, its (i) Motion to Quash and (ii) its Reply.

This Court GRANTS the parties' stipulation and, accordingly, DENIES as moot the Motion to Quash and the Request for Sanctions pursuant to Fed. R. Civ. P. 11.

IT IS SO ORDERED.

/s/Lesley Wells
UNITED STATES DISTRICT JUDGE

Dated: 22 April 2005